

EXHIBIT D

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,
PENNSYLVANIA – CIVIL DIVISION**

DEDICATED NURSING ASSOCIATES,
INC.,

Plaintiff,

v.

AKRON HEALTHCARE LLC D/B/A
AKRON HEALTHCARE, et al.

Defendants.

Case No. 5578 of 2019

NOTICE OF REMOVAL

Filed on Behalf of Defendants Buckeye Forest at Akron LLC d/b/a Highland Square Rehabilitation and Nursing Center; Buckeye Forest at Bellefontaine LLC d/b/a Ayden Healthcare of Belle Springs; Buckeye Forest at Cleveland LLC d/b/a Gardens of Euclid Beach; Buckeye Forest at Greenville LLC d/b/a Ayden Healthcare of Greenville; Buckeye Forest at Madeira LLC d/b/a Ayden Healthcare of Madeira; Buckeye Forest at Mayfield Heights LLC d/b/a Gardens of Mayfield Heights; Buckeye Forest at North Olmsted LLC d/b/a Gardens of North Olmsted; Buckeye Forest at Waterville LLC d/b/a Ayden Healthcare of Waterville; Buckeye Forest at Fairfield LLC d/b/a Ayden Healthcare of Fairfield; Samuel Feuer; Larry Katz; Ephram Lahasky; Eli Leshkowitz; Solomon Kazarnovsky; Abba Stein; Mordechai Weisz; and Med Healthcare Partners

Counsel of Record for this Party:

Michael J. Zukowski, Esq.
PA ID No. 84136
Luciana R. Sena, Esq.
PA ID No. 331197

FOX ROTHSCHILD LLP
BNY Mellon Center
500 Grant Street, Suite 2500
Pittsburgh, Pennsylvania 15219
Telephone: (412) 391-1334
Facsimile: (412) 391-6984
MZukowski@FoxRothschild.com
LSena@FoxRothschild.com

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,
PENNSYLVANIA – CIVIL DIVISION**

DEDICATED NURSING ASSOCIATES,
INC.,

Case No. 5578 of 2019

Plaintiff,

NOTICE OF REMOVAL

v.

AKRON HEALTHCARE LLC D/B/A
AKRON HEALTHCARE, et al.

Defendants.

NOTICE OF REMOVAL

To: GINA O'BARTO, PROTHONOTARY FOR THE COURT OF COMMON PLEAS FOR
WESTMORELAND COUNTY

PLEASE TAKE NOTICE that on September 5, 2023, the Defendants, Buckeye Forest at Akron LLC d/b/a Highland Square Rehabilitation and Nursing Center; Buckeye Forest at Bellefontaine LLC d/b/a Ayden Healthcare of Belle Springs; Buckeye Forest at Cleveland LLC d/b/a Gardens of Euclid Beach; Buckeye Forest at Greenville LLC d/b/a Ayden Healthcare of Greenville; Buckeye Forest at Madeira LLC d/b/a Ayden Healthcare of Madeira; Buckeye Forest at Mayfield Heights LLC d/b/a Gardens of Mayfield Heights; Buckeye Forest at North Olmsted LLC d/b/a Gardens of North Olmsted; Buckeye Forest at Waterville LLC d/b/a Ayden Healthcare of Waterville; Buckeye Forest at Fairfield LLC d/b/a Ayden Healthcare of Fairfield; Samuel Feuer; Larry Katz; Ephram Lahasky; Eli Leshkowitz; Solomon Kazarnovsky; Abba Stein; Mordechai Weisz; and Med Healthcare Partners, filed in the Office of the Clerk of the United States District Court for the Western District of Pennsylvania a Notice of Removal, as provided for in 28 U.S.C. §§ 1441 and 1331, removing the above-captioned case to the United States Court for the Western

District of Pennsylvania. A true and correct copy of the Notice of Removal is attached hereto as Exhibit A.

Upon filing of this Notice of Removal with the United States District Court for the Western District of Pennsylvania, and filing copies thereof with this Court, Defendants respectfully submit that they have effected removal, and consistent with 28 U.S.C. § 1446(d), “the State court shall proceed no further unless and until the case is remanded.”

FOX ROTHSCHILD LLP

/s/ Michael J. Zukowski

Michael J. Zukowski, Esq.

PA ID No. 84136

Luciana R. Sena, Esq.

PA ID No. 331197

FOX ROTHSCHILD LLP

BNY Mellon Center

500 Grant Street, Suite 2500

Pittsburgh, Pennsylvania 15219

Telephone: (412) 391-1334

Facsimile: (412) 391-6984

MZukowski@FoxRothschild.com

LSena@FoxRothschild.com

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

FOX ROTHSCHILD LLP

/s/ Michael J. Zukowski

Name: Michael J. Zukowski, Esquire

Attorney No. 84136

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of September, 2023, a true and correct copy of the foregoing Notice of Removal was served upon the following via email and United States mail, first class, postage prepaid, and addressed as follows:

Jennifer Tis Mihok, Esquire
The Mihok Law Firm, P.C.
3706 Butler Street. Suite 327
Pittsburgh, PA 15201
jtm@mihoklaw.com

FOX ROTHSCHILD LLP

/s/ Michael J. Zukowski
Michael J. Zukowski